

10.40.13 Subpoenas

- A. The Employee Appeals Board shall have the authority to issue subpoenas in connection with a hearing.
- B. To compel the attendance of a witness, or witnesses, any party to an appeal may file with the Employee Appeals Board a written Request for Issuance of Subpoenas. Each request shall contain for each witness:
 - 1. name;
 - 2. street address where the witness may be readily found for service of the subpoena (If the only available address is a route number or box number, the party requesting the subpoena must provide complete and accurate directions for locating the witness.); and
 - 3. brief statement supporting the relevance and materiality of the testimony of the witness to the appeal.
- C. To compel the production of documentary evidence, any party to an appeal may file with the Employee Appeals Board a written Request for Issuance of Subpoena Duces Tecum. Each request shall specify:
 - 1. name of person who is to produce such documentary evidence;
 - 2. street address where such person may be readily found for service of the subpoena (If the only available address is a route number or box number, the party requesting the subpoena must provide complete and accurate directions for locating the witness.); and
 - 3. brief statement supporting the relevancy and materiality of the documentary evidence to the appeal.
- D. Each request must be filed no later than ten (10) days prior to the hearing date.
- E. A fee of thirty-five dollars (\$35.00) for each person to be subpoenaed shall accompany the request. The fee shall be in the form of a cashier's check, bona fide attorney's check, or money order made payable to the sheriff of the county where the person to be subpoenaed may be found. In the event that additional subpoenas are required at the same address, a fee of one dollar (\$1.00) each shall accompany these requests.
- F. In case of the failure of any person to comply with any subpoena issued by the Board, the requesting party may invoke the aid of any court of this state of general jurisdiction. The court may thereupon order such person to comply with the requirements of the subpoena. Failure to obey the order of the court may be punished by the court as a contempt thereof.

- G. Notification of witnesses in case of a continuance or rescheduling of a hearing shall be governed by Section 10.40.11.E.